

ASSEMBLY BILL

No. 568

Introduced by Assembly Member Garcia

February 16, 2005

An act relating to HIV.

LEGISLATIVE COUNSEL'S DIGEST

AB 568, as introduced, Garcia. Rapid HIV tests.

Existing law authorizes the State Department of Health Services, through its Office of AIDS and the authorized agents of the office, to participate in a rapid human immunodeficiency virus (HIV) test research program conducted with the federal Centers for Disease Control and Prevention, involving innovative HIV testing and counseling programs. Under the rapid HIV test research program, existing law authorizes the department to perform and report clinical test results using a rapid HIV test for diagnosis, prior to test approval by the federal Food and Drug Administration (FDA). However, existing law requires test performance and reporting to be done only to the extent allowed under that device's investigational approval by the FDA and pursuant to a California Health and Human Services Agency Institutional Review Board–approved research protocol.

This bill would declare the Legislature's intent to enact legislation to allow FDA approved rapid HIV testing methods to be offered to women at annual obstetrics–gynecology appointments and at first prenatal appointments.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the Legislature's intent to enact legislation
2 in subsequent amendments to allow rapid human
3 immunodeficiency virus testing methods approved by the federal
4 Food and Drug Administration to be offered to women at annual
5 obstetrics-gynecology appointments and at first prenatal
6 appointments.

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